

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JANIE L. KINSEY and C.H. KINSEY,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO. 2:05CV636-F
)	[WO]
C. LANCE GOULD, et al.,)	
)	
Defendants.)	

ORDER ON MOTION

On 12 July 2005, the plaintiffs [“the Kinseys”] filed a civil complaint stating that they “opposed the settlement Citifinancial offer[ed].” They further stated that they “prefer to go to court”. The Kinseys have accused their former attorney, Lance Gould, Esq., of “refus[ing] to let [them] have a jury trial”, and they contend that they are entitled to “damages as a result of alleged wrongdoing to the loans [they] had with [Citifinancial Associates]”.

The court has reviewed the plaintiffs’ complaint against the defendants and finds that it is very difficult to determine the plaintiffs’ specific claims against each of the defendants from the face of the complaint. The Kinseys have named as defendants (1) C. Lance Gould, (2) Citifinancial Associates, (3) J. King, and (4) TranSouth. The complaint does not identify Citifinancial Associates, J. King, or TranSouth, nor does it advise the court of any of the particulars of the “wrongdoing” that the defendants are alleged to have committed.

Accordingly, before the plaintiff’s complaint is served, it is

ORDERED that on or before 28 July 2005, the plaintiffs shall file an amended

complaint which specifically sets forth the following:

1. The names of all of the individuals and companies who violated their federal statutory or constitutional rights and a current mailing address where the individuals and companies can be served;

2. As to each such defendant:

1. The federal statutes, federal regulations, or federal constitutional provisions which were violated;
2. A description of all the actions which violated the plaintiffs' rights;
3. The specific dates on which each violation occurred;
4. The plaintiffs' specific relationship to each defendant (e.g., lawyer/client, etc.); and
5. The amount of money lost, or the specific injury incurred, as a result of each violation.

3. Whether the plaintiffs have sought relief from any private or governmental agency, and if so, the name of the agency, the date of the claim, and the result of the investigation of the claim; and

4. The specific relief that the plaintiffs seek **against each defendant**, that is, the precise action that the plaintiffs wish for the court to take against each defendant in response to their complaint.

Unless the plaintiffs provide the foregoing information, this action may not proceed. The plaintiffs are advised that their failure to comply with this order could result in a

Recommendation to the court that this case be dismissed.

DONE this 13th day of July, 2005.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE